

REMARKS

Claims 1-19 and 27-30 are pending. By this Amendment, claims 20-26 are canceled without prejudice.

Applicants note that the Examiner did not initial one reference listed on the PTO-1449 form of the Information Disclosure Statement filed February 3, 2004. Applicants respectfully request a copy of the PTO-1449 showing that the Examiner has considered all of the references provided by Applicant.

Restriction Requirement Under 35 U.S.C. § 121

The Examiner imposed a restriction requirement under 35 U.S.C. § 121, and indicated the restriction to one of the following groups was required: Group I (claims 1-19 and 27-30); or Group II (claims 20-26). Applicants confirm without traverse the provisional election made during a telephone conference on March 17, 2005, to prosecute the invention of Group I, claims 1-19 and 27-30. Claims 20-26 have been canceled without prejudice.

Double Patenting Rejection

The Examiner provisionally rejected claims 1-19 and 27-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 and 22-25 of co-pending Application No. 10/760,039 (the '039 Application). Additionally, the Examiner provisionally rejected claims 1-19 and 27-30 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-18 and 29-35 of co-pending Application No. 10/832,596 (the '596 Application). Applicants have included appropriate terminal disclaimers to overcome the obvious-type double patenting rejections over the '039

Application and the '596 Application. Applicants respectfully request the withdrawal of the rejections under the judicially created doctrine of obvious-type double patenting.

CONCLUSION

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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